

- (iii) A local government.
- (iv) A business or other employer.
- (v) A nonprofit institution.

*Substantial portion of its undergraduate students* means 40 percent or more of the enrolled undergraduate student population.

*Urban area* means—

- (i) A metropolitan area having a population of not less than 350,000;
- (ii) Two contiguous metropolitan areas having a combined total population of not less than 350,000;
- (iii) In any State that does not have a metropolitan area having a population of not less than 350,000, the one urban area designated by the entity of the State having an agreement under the HEA to make a designation; or
- (iv) If a State entity does not have an agreement under the HEA to make a designation, the one urban area designated by the Secretary.

*Urban infrastructure* means the underlying mechanical or technological networks for providing goods and services, such as transportation systems (including mass transit), water and sewage systems, and communication systems (including telecommunications).

(Authority: 20 U.S.C. 1136a-1136g)

### Subpart B—How Does One Apply for an Award?

#### § 636.10 What must an application include?

An application must include the following:

- (a) A description of the activities for which the grant is sought.
- (b) The plan agreed to by each of the members of the planning consortium.
- (c) An assurance that the applicant and the local governments associated with the application will contribute to the conduct of the project supported by the grant an amount, in cash or in-kind, from non-Federal funds equal to at least one-fourth of the amount of the grant.

(Authority: 20 U.S.C. 1136b)

#### § 636.11 How does an applicant request a waiver of the planning consortium requirement?

- (a) An applicant may request that the Secretary waive the requirement

for a planning consortium by submitting as part of the application a request that includes the following:

- (1) The reasons why the applicant seeks the waiver.

- (2) Detailed information evidencing the applicant's integrated and coordinated plan to work with private and civic organizations to meet the pressing and severe problems of the urban community.

- (b) The Secretary may grant the request for a waiver if the Secretary finds that—

- (1) The applicant has shown an integrated and coordinated plan to meet the purposes of the Urban Community Service Program; and

- (2) A planning consortium would not substantially improve the applicant's proposed project.

(Authority: 20 U.S.C. 1136b)

### Subpart C—How Does the Secretary Make an Award?

#### § 636.20 How does the Secretary evaluate an application?

- (a) The Secretary evaluates an application on the basis of the selection criteria in § 636.21.

- (b) The Secretary awards up to 100 points for these selection criteria.

- (c) The maximum possible score for each criterion is indicated in parentheses.

(Authority: 20 U.S.C. 1136b)

#### § 636.21 What selection criteria does the Secretary use to evaluate an application?

The Secretary uses the following criteria to evaluate an application under this part:

- (a) *Determination of need for the project.* (10 points). The Secretary reviews each application to assess the effectiveness of the procedures used by the applicant in determining need for the project, including consideration of—

- (1) The process used to ensure that the pressing and severe problems that are identified are in fact high priority problems for the urban area;

- (2) The priority relationship of the problems addressed by the project to